

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
(Indianapolis Division)**

RED BARN MOTORS, INC.,	*	DOCKET NO. 1:14-cv-01589-TWP-DKL
PLATINUM MOTORS, INC.,	*	
MATTINGLY AUTO SALES, INC.,	*	CLASS ACTION
YOUNG EXECUTIVE MANAGEMENT	*	Jury Trial Demanded
& CONSULTING SERVICES, INC.,	*	
Individually, and on behalf of other	*	
members of the general public	*	
similarly situated	*	
	*	
v.	*	
	*	
COX ENTERPRISES, INC.,	*	
COX AUTOMOTIVE, INC.,	*	
NEXTGEAR CAPITAL, INC.,	*	
F/K/A DEALER SERVICES	*	
CORPORATION, successor by merger	*	
with Manheim Automotive Financial	*	
Services, Inc., and JOHN WICK	*	
	*	

JOINT MOTION TO RESET TRIAL DATE

NOW INTO COURT, through undersigned counsel, come the Plaintiffs, Red Barn Motors, Inc., Platinum Motors, Inc., Mattingly Auto Sales, Inc., Young Executive Management & Consulting Services, Inc., Individually and on behalf of other members of the general public similarly situated, and the Defendants, Cox Enterprises, Inc., Cox Automotive, Inc., NextGear Capital, Inc., and John Wick, and respectfully move this Court for the entry of a new trial date of May 8, 2017, for the reasons stated herein.

This matter is currently set for trial on January 9, 2017. On January 8, 2016, the Plaintiffs filed a Motion for Leave to File a Verified Amended Complaint with additional named plaintiffs

and setting forth new class action allegations.¹ Due to the new posture of this case as a class action, additional time will be needed prior to trial, including additional time for discovery and class certification proceedings. The parties agree that a trial date of May 8, 2017 will allow sufficient time. The parties anticipate that the trial will last two (2) weeks.

The parties further respectfully submit that the entry of a new Case Management Plan is appropriate in light of the new posture of this case. The parties will coordinate regarding a proposed case management plan as set forth in Local Rule 16-1. The parties have engaged in preliminary discussions regarding discovery and deadlines and anticipate filing a joint plan that reflects the parties' differing positions as to certain issues, including but not limited to the timing and sequence of discovery. The parties anticipate that they will be able to complete the proposed case management plan within thirty (30) days.

Accordingly, for the reasons set forth herein, the parties respectfully request that the Court reset this case for a two-week trial beginning on May 8, 2017 and allow the parties thirty (30) days in which to file a joint proposed case management plan.

Respectfully submitted,

/s/ Kerry A. Murphy

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¹ R. Doc. 89.

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CERTIFICATE OF SERVICE

I do hereby certify that I have, on the 29th day of February, 2016, served a copy of the foregoing Joint Motion to Reset Trial Date on all counsel of record via electronic service by the court's CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

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_____/s/ Kerry A. Murphy

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